

AO 440 (Rev. 10/93) Summons in a Civil Action

United States District Court

DISTRICT OF MASSACHUSETTS

RICHARD PAGONA, Individually and On Behalf
of All Others Similarly Situated,

FILED
2004 JUN 11 10 35 AM
U.S. DISTRICT COURT
DISTRICT OF MASS.
SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

VASO ACTIVE PHARMACEUTICALS, INC.,
STEPHEN G. CARTER and JOHN J. MASIZ

04-11100 RCL

TO: (Name and address of defendant)

VASO ACTIVE PHARMACEUTICALS, INC.
99 Rosewood Drive, Suite 260
Danvers, MA 01923

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Nancy Freeman Gans
MOULTON & GANS, P.C.
33 Broad St., Suite 1100
Boston, MA 02109-4216
617-369-7979

Evan J. Smith
BRODSKY & SMITH, LLC
Two Bala Plaza, Suite 602
Bala Cynwyd, PA 19004
610-667-6200

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

K. J. Smith

(BY) DEPUTY CLERK



5-25-04

Address of Server
33 Broad St., Suite 1100
Boston, MA 02109-4216

Signature of Server
Nancy Freeman Gans
MOULTON & GANS, P.C.

Executed on June 17, 2004 Date

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

DECLARATION OF SERVER

TRAVEL	0	SERVICES	0	TOTAL	0
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STATEMENT OF SERVICE FEES

☒ Other (specify): By delivering a copy of same in hand to Colleen Henschke, Esquire, Wilmer Cutler Pickering Hale and Dorr LLP, counsel to defendant Vaso Active Pharmaceuticals, Inc., who agreed to accept service of same on behalf of said defendant.

☐ Returned unexecuted:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Served personally upon the defendant. Place where served:

Check one box below to indicate appropriate method of service

NAME OF SERVER (PRINT) Nancy Freeman Gans	TITLE Attorney
Service of the Summons and Complaint was made by me	DATE May 26, 2004

RETURN OF SERVICE